

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DENNIS CLEVELAND,

Plaintiff,

Case No. 12-11302

v.

Hon. John Corbett O'Meara

SANTANDER CONSUMER USA INC., and
EQUIFAX INFORMATION SERVICES, LLC,

Defendants.

ORDER OF PARTIAL DISMISSAL

On March 23, 2012, Plaintiff filed his complaint alleging the following counts: Count I, Fair Credit Reporting Act; Count II, intentional infliction of emotional distress; Count III, negligence; Count IV, negligence per se; Count IV (sic), defamation by libel; Count V, malicious statutory libel; and Count VI, Fair Credit Reporting Act. Plaintiff does not allege diversity jurisdiction. Although violations of the Fair Credit Reporting Act are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present claims based on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Accordingly, IT IS HEREBY ORDERED that Plaintiff's state law claims are
DISMISSED.

s/John Corbett O'Meara
United States District Judge

Date: April 11, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, April 11, 2012, using the ECF system.

s/William Barkholz

Case Manager